IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 33714 of 2007(L)

PETITIONER:

C.K.REENA, U.P.S.A, CMC BOYS HIGH SCHOOL
ELATHUR, KOZHIKODE.

BY ADV. SRI.P.J.MATHEW

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY**
   THE SECRETARY TO GOVERNMENT,
   GENERAL EDUCATION DEPARTMENT,
   GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE DEPUTY DIRECTOR OF EDUCATION,**
   KOZHIKODE.

3. **THE DISTRICT EDUCATIONAL OFFICER,**
   KOZHIKODE.

4. **THE MANAGER,**
   CMC BOYS HIGH SCHOOL, ELATHUR, KOZHIKODE.

5. **SMT.K.R.BINDU, MANIKKOTH HOUSE,**
   KOLAKKAD P.O., ATHOLI, KOZHIKODE DISTRICT.

BY GOVT. PLEADER, SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C) No. 33714 of 2007

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Dated this the 15th day of November, 2007

JUDGMENT

In recognition of her earlier approved service, the petitioner was appointed as a U.P.S.A. by the 4th respondent-manager in a regular vacancy with effect from 5.2.06. Against such appointment the 5th respondent has filed a complaint raising superior claim under Rule 51(A) of Chapter XIV A of KER. In view of said objection raised by the 5th respondent, the DEO refused approval for the appointment of the petitioner. On an appeal filed by the manager the Deputy Director of Education passed Ext.P5 order confirming the DEO's order. Against the same, petitioner has filed Ext.P7 representation before the 1st respondent. Petitioner seeks expeditious disposal of Ext.P7.

2. I have heard the learned Government Pleader also. In the facts and circumstances of the case, there would be a direction to the 1st respondent to consider and pass appropriate

orders on Ext.P7 as expeditiously as possible at any rate within three months from the date of receipt of a copy of the judgment after affording an opportunity to hear to the petitioner and the respondents 3 and 4. If any appointment is made to the vacancy occupied by the petitioner, the same would be subject to the order to be passed on Ext.P7.

The writ petition is disposed of as above.

S.SIRI JAGAN,
JUDGE

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